

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

THOMAS J. KALISZEWSKI,
Plaintiff

v.

SHEET METAL WORKERS' NATIONAL
PENSION FUND (the "Fund"), and its
"BOARD TRUSTEES," "ADMINISTRATORS,"
and "APPEALS COMMITTEE",
Defendants

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) CIVIL ACTION NO. 03-216 ERIE
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) ELECTRONICALLY FILED

STIPULATION OF DISMISSAL

Plaintiff THOMAS J. KALISZEWSKI, by his attorneys, MacDonald, Illig, Jones & Britton LLP, and defendants SHEET METAL WORKERS' NATIONAL PENSION FUND, and its "BOARD TRUSTEES," "ADMINISTRATORS," and "APPEALS COMMITTEE," by their attorney, Stephen M. Rosenblatt, Esq., Deputy General Counsel, hereby stipulate as follows, pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure:

1. The parties have reached an agreement regarding the settlement of this case.
2. The Complaint, Counterclaim, and this entire civil action shall be dismissed, with prejudice.
3. The Court shall retain jurisdiction of this civil action for enforcing the parties' settlement agreement.

Respectfully submitted,

/s Walter E. "Stormy" Deacon III

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Sheet Metal Workers' National Pension Fund and

its "Board Trustees," "Administrators," and

"Appeals Committee"